

Senate Amendment 3198

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1 1 Amend the amendment, S=3185, to House File 619, as
1 2 amended, passed, and reprinted by the House, as
1 3 follows:
1 4 #1. By striking page 1, line 1, through page 22,
1 5 line 19, and inserting the following:
1 6 <Amend House File 619, as amended, passed, and
1 7 reprinted by the House, as follows:
1 8 #strike>____. By striking everything after the enacting
1 9 clause and inserting the following:
1 10 <DIVISION I
1 11 DNA PROFILING
1 12 Section 1. NEW SECTION. 81.1 DEFINITIONS.
1 13 As used in this chapter, unless the context
1 14 otherwise requires:
1 15 1. "DNA" means deoxyribonucleic acid.
1 16 2. "DNA databank" means the repository for DNA
1 17 samples obtained pursuant to section 81.4.
1 18 3. "DNA database" means the collection of DNA
1 19 profiles and DNA records.
1 20 4. "DNA profile" means the objective form of the
1 21 results of DNA analysis performed on a DNA sample.
1 22 The results of all DNA identification analysis on an
1 23 individual's DNA sample are also collectively referred
1 24 to as the DNA profile of an individual.
1 25 5. "DNA profiling" means the procedure established
1 26 by the division of criminal investigation, department
1 27 of public safety, for determining a person's genetic
1 28 identity.
1 29 6. "DNA record" means the DNA sample and DNA
1 30 profile, and other records in the DNA database and DNA
1 31 data bank used to identify a person.
1 32 7. "DNA sample" means a biological sample provided
1 33 by any person required to submit a DNA sample or a DNA
1 34 sample submitted for any other purpose under section
1 35 81.4.
1 36 8. "Person required to submit a DNA sample" means
1 37 a person convicted, adjudicated delinquent, receiving
1 38 a deferred judgment, or found not guilty by reason of
1 39 insanity of an offense requiring DNA profiling
1 40 pursuant to section 81.2. "Person required to submit
1 41 a DNA sample" also means a person determined to be a
1 42 sexually violent predator pursuant to section 229A.7.
1 43 Sec. 2. NEW SECTION. 81.2 PERSONS REQUIRED TO
1 44 SUBMIT A DNA SAMPLE.
1 45 1. A person who receives a deferred judgment for a
1 46 felony or against whom a judgment or conviction for a
1 47 felony has been entered shall be required to submit a
1 48 DNA sample for DNA profiling pursuant to section 81.4.
1 49 2. A person determined to be a sexually violent
1 50 predator pursuant to chapter 229A shall be required to
2 1 submit a DNA sample for DNA profiling pursuant to
2 2 section 81.4 prior to discharge or placement in a
2 3 transitional release program.
2 4 3. A person found not guilty by reason of insanity
2 5 of an offense that requires DNA profiling shall be
2 6 required to submit a DNA sample for DNA profiling
2 7 pursuant to section 81.4 as part of the person's
2 8 treatment management program.
2 9 4. A juvenile adjudicated delinquent of an offense
2 10 that requires DNA profiling of an adult offender shall
2 11 be required to submit a DNA sample for DNA profiling
2 12 pursuant to section 81.4 as part of the disposition of
2 13 the juvenile's case.
2 14 5. An offender placed on probation shall
2 15 immediately report to the judicial district department
2 16 of correctional services after sentencing so it can be
2 17 determined if the offender has been convicted of an
2 18 offense requiring DNA profiling. If it is determined
2 19 by the judicial district that DNA profiling is
2 20 required, the offender shall immediately submit a DNA
2 21 sample.
2 22 6. A person required to register as a sex
2 23 offender.
2 24 Sec. 3. NEW SECTION. 81.3 ESTABLISHMENT OF DNA

2 25 DATABASE AND DNA DATABANK.
2 26 1. A state DNA database and a state DNA databank
2 27 are established under the control of the division of
2 28 criminal investigation, department of public safety.
2 29 The division of criminal investigation shall conduct
2 30 DNA profiling of a DNA sample submitted in accordance
2 31 with this section.
2 32 2. A DNA sample shall be submitted, and the
2 33 division of criminal investigation shall store and
2 34 maintain DNA records in the DNA database and DNA
2 35 databank for persons required to submit a DNA sample.
2 36 3. A DNA sample may be submitted, and the division
2 37 of criminal investigation shall store and maintain DNA
2 38 records in the DNA database and DNA databank for any
2 39 of the following:
2 40 a. Crime scene evidence and forensic casework.
2 41 b. A relative of a missing person.
2 42 c. An anonymous DNA profile used for forensic
2 43 validation, forensic protocol development, or quality
2 44 control purposes, or for the establishment of a
2 45 population statistics database.
2 46 4. A fingerprint record of a person required to
2 47 submit a DNA sample shall also be submitted to the
2 48 division of criminal investigation with the DNA sample
2 49 to verify the identity of the person required to
2 50 submit a DNA sample.

3 1 Sec. 4. NEW SECTION. 81.4 COLLECTING,
3 2 SUBMITTING, ANALYZING, IDENTIFYING, AND STORING DNA
3 3 SAMPLES AND DNA RECORDS.

3 4 1. The division of criminal investigation shall
3 5 adopt rules for the collection, submission, analysis,
3 6 identification, storage, and disposition of DNA
3 7 records.

3 8 2. A supervising agency having control, custody,
3 9 or jurisdiction over a person shall collect a DNA
3 10 sample from a person required to submit a DNA sample.
3 11 The supervising agency shall collect a DNA sample,
3 12 upon admittance to the pertinent institution or
3 13 facility, of the person required to submit a DNA
3 14 sample or at a determined date and time set by the
3 15 supervising agency. If a person required to submit a
3 16 DNA sample is confined at the time a DNA sample is
3 17 required, the person shall submit a DNA sample as soon
3 18 as practicable. If a person required to submit a DNA
3 19 sample is not confined after the person is required to
3 20 submit a DNA sample, the supervising agency shall
3 21 determine the date and time to collect the DNA sample.

3 22 3. A person required to submit a DNA sample who
3 23 refuses to submit a DNA sample may be subject to
3 24 contempt proceedings pursuant to chapter 665 until the
3 25 DNA sample is submitted.

3 26 4. The division of criminal investigation shall
3 27 conduct DNA profiling on a DNA sample or may contract
3 28 with a private entity to conduct the DNA profiling.

3 29 Sec. 5. NEW SECTION. 81.5 CIVIL AND CRIMINAL
3 30 LIABILITY == LIMITATION.

3 31 A person who collects a DNA sample shall not be
3 32 civilly or criminally liable for the collection of the
3 33 DNA sample if the person performs the person's duties
3 34 in good faith and in a reasonable manner according to
3 35 generally accepted medical practices or in accordance
3 36 with the procedures set out in the administrative
3 37 rules of the department of public safety adopted
3 38 pursuant to section 81.4.

3 39 Sec. 6. NEW SECTION. 81.6 CRIMINAL OFFENSE.

3 40 1. A person who knowingly or intentionally does
3 41 any of the following commits an aggravated
3 42 misdemeanor:

3 43 a. Discloses any part of a DNA record to a person
3 44 or agency that is not authorized by the division of
3 45 criminal investigation to have access to the DNA
3 46 record.

3 47 b. Uses or obtains a DNA record for a purpose
3 48 other than what is authorized under this chapter.

3 49 2. A person who knowingly or intentionally alters
3 50 or attempts to alter a DNA sample, falsifies the
4 1 source of a DNA sample, or materially alters a
4 2 collection container used to collect the DNA sample,
4 3 commits a class "D" felony.

4 4 Sec. 7. NEW SECTION. 81.7 CONVICTION OR ARREST
4 5 NOT INVALIDATED.

4 6 The detention, arrest, or conviction of a person
4 7 based upon a DNA database match is not invalidated if
4 8 it is determined that the DNA sample or DNA profile
4 9 was obtained or placed into the DNA database by
4 10 mistake or error.

4 11 Sec. 8. NEW SECTION. 81.8 CONFIDENTIAL RECORDS.

4 12 1. A DNA record shall be considered a confidential
4 13 record and disclosure of a DNA record is only
4 14 authorized pursuant to this section.

4 15 2. Confidential DNA records under this section may
4 16 be released to the following agencies for law
4 17 enforcement identification purposes:

4 18 a. Any criminal or juvenile justice agency as
4 19 defined in section 692.1.

4 20 b. Any criminal or juvenile justice agency in
4 21 another jurisdiction that meets the definition of a
4 22 criminal or juvenile justice agency as defined in
4 23 section 692.1.

4 24 3. The division of criminal investigation shall
4 25 share the DNA record information with the appropriate
4 26 federal agencies for use in a national DNA database.

4 27 4. A DNA record or other forensic information
4 28 developed pursuant to this chapter may be released for
4 29 use in a criminal or juvenile delinquency proceeding
4 30 in which the state is a party and where the DNA record
4 31 or forensic information is relevant and material to
4 32 the subject of the proceeding. Such a record or
4 33 information may become part of a public transcript or
4 34 other public recording of such a proceeding.

4 35 5. A DNA record or other forensic information may
4 36 be released pursuant to a court order for criminal
4 37 defense purposes to a defendant, who shall have access
4 38 to DNA samples and DNA profiles related to the case in
4 39 which the defendant is charged.

4 40 Sec. 9. NEW SECTION. 81.9 EXPUNGEMENT OF DNA
4 41 RECORDS.

4 42 1. A person whose DNA record has been included in
4 43 the DNA database or DNA databank established pursuant
4 44 to section 81.3 may request, in writing to the
4 45 division of criminal investigation, expungement of the
4 46 DNA record from the DNA database and DNA databank
4 47 based upon the person's conviction, adjudication, or
4 48 civil commitment which caused the submission of the
4 49 DNA sample being reversed on appeal and the case
4 50 dismissed. The written request shall contain a
5 1 certified copy of the final court order reversing the
5 2 conviction, adjudication, or civil commitment, and a
5 3 certified copy of the dismissal, and any other
5 4 information necessary to ascertain the validity of the
5 5 request.

5 6 2. The division of criminal investigation, upon
5 7 receipt of a written request that validates reversal
5 8 on appeal of a person's conviction, adjudication, or
5 9 commitment, and subsequent dismissal of the case, or
5 10 upon receipt of a written request by a person who
5 11 voluntarily submitted a DNA sample under section 81.3,
5 12 subsection 3, paragraph "b", or upon receipt of a
5 13 written request by a person who voluntarily submitted
5 14 a DNA sample pursuant to section 81.3, subsection 3,
5 15 paragraph "b", shall expunge all of the DNA records
5 16 and identifiable information of the person in the DNA
5 17 database and DNA databank. However, if the division
5 18 of criminal investigation determines that the person
5 19 is otherwise obligated to submit a DNA sample, the DNA
5 20 records shall not be expunged. If the division of
5 21 criminal investigation denies an expungement request,
5 22 the division shall notify the person requesting the
5 23 expungement of the decision not to expunge the DNA
5 24 record and the reason supporting its decision. The
5 25 division of criminal investigation decision is subject
5 26 to judicial review pursuant to chapter 17A. The
5 27 department of public safety shall adopt rules
5 28 governing the expungement procedure and a review
5 29 process.

5 30 3. The division of criminal investigation is not
5 31 required to expunge or destroy a DNA record pursuant
5 32 to this section, if expungement or destruction of the
5 33 DNA record would destroy evidence related to another
5 34 person.

5 35 Sec. 10. NEW SECTION. 81.10 DNA PROFILING AFTER
5 36 CONVICTION.

5 37 1. A defendant who has been convicted of a felony
5 38 and who has not been required to submit a DNA sample
5 39 for DNA profiling may make a motion to the court for
5 40 an order to require that DNA analysis be performed on
5 41 evidence collected in the case for which the person
5 42 stands convicted.

5 43 2. The motion shall state the following:
5 44 a. The specific crimes for which the defendant
5 45 stands convicted in this case.
5 46 b. The facts of the underlying case, as proven at
5 47 trial or admitted to during a guilty plea proceeding.
5 48 c. Whether any of the charges include sexual abuse
5 49 or involve sexual assault, and if so, whether a sexual
5 50 assault examination was conducted and evidence
6 1 preserved, if known.
6 2 d. Whether identity was at issue or contested by
6 3 the defendant.
6 4 e. Whether the defendant offered an alibi, and if
6 5 so, testimony corroborating the alibi and, from whom.
6 6 f. Whether eyewitness testimony was offered, and
6 7 if so from whom.
6 8 g. Whether any issues of police or prosecutor
6 9 misconduct have been raised in the past or are being
6 10 raised by the motion.
6 11 h. The type of inculpatory evidence admitted into
6 12 evidence at trial or admitted to during a guilty plea
6 13 proceeding.
6 14 i. Whether blood testing or other biological
6 15 evidence testing was conducted previously in
6 16 connection with the case and, if so, by whom and to
6 17 the result, if known.
6 18 j. What biological evidence exists and, if known,
6 19 the agency or laboratory storing the evidence that the
6 20 defendant seeks to have tested.
6 21 k. Why the requested analysis of DNA evidence is
6 22 material to the issue in the case and not merely
6 23 cumulative or impeaching.

6 24 1. Why the DNA evidence would have changed the
6 25 outcome of the trial or invalidated a guilty plea if
6 26 DNA profiling had been conducted prior to the
6 27 conviction.

6 28 3. A motion filed under this section shall be
6 29 filed in the county where the defendant was convicted,
6 30 and notice of the motion shall be served by certified
6 31 mail upon the county attorney and, if known, upon the
6 32 state, local agency, or laboratory holding evidence
6 33 described in subsection 2, paragraph "k". The county
6 34 attorney shall have sixty days to file an answer to
6 35 the motion.

6 36 4. Any DNA profiling of the defendant or other
6 37 biological evidence testing conducted by the state or
6 38 by the defendant shall be disclosed and the results of
6 39 such profiling or testing described in the motion or
6 40 answer.

6 41 5. If the evidence requested to be tested was
6 42 previously subjected to DNA or other biological
6 43 analysis by either party, the court may order the
6 44 disclosure of the results of such testing, including
6 45 laboratory reports, notes, and underlying data, to the
6 46 court and the parties.

6 47 6. The court may order a hearing on the motion to
6 48 determine if evidence should be subjected to DNA
6 49 analysis.

6 50 7. The court shall grant the motion if all of the
7 1 following apply:
7 2 a. The evidence subject to DNA testing is
7 3 available and in a condition that will permit
7 4 analysis.
7 5 b. A sufficient chain of custody has been
7 6 established for the evidence.
7 7 c. The identity of the person who committed the
7 8 crime for which the defendant was convicted was a
7 9 significant issue in the crime for which the defendant
7 10 was convicted.
7 11 d. The evidence subject to DNA analysis is
7 12 material to, and not merely cumulative or impeaching
7 13 of, evidence included in the trial record or admitted
7 14 to at a guilty plea proceeding.
7 15 e. DNA analysis of the evidence would raise a
7 16 reasonable probability that the defendant would not
7 17 have been convicted if DNA profiling had been

7 18 available at the time of the conviction and had been
7 19 conducted prior to the conviction.

7 20 8. Upon the court granting a motion filed pursuant
7 21 to this section, DNA analysis of evidence shall be
7 22 conducted within the guidelines generally accepted by
7 23 the scientific community. The defendant shall provide
7 24 DNA samples for testing if requested by the state.

7 25 9. Results of DNA analysis conducted pursuant to
7 26 this section shall be reported to the parties and to
7 27 the court and may be provided to the board of parole,
7 28 department of corrections, and criminal and juvenile
7 29 justice agencies, as defined in section 692.1, for use
7 30 in the course of investigations and prosecutions, and
7 31 for consideration in connection with requests for
7 32 parole, pardon, reprieve, and commutation. DNA
7 33 samples obtained pursuant to this section may be
7 34 included in the DNA databank, and DNA profiles and DNA
7 35 records developed pursuant to this section may be
7 36 included in the DNA database.

7 37 10. A criminal or juvenile justice agency, as
7 38 defined in section 692.1, shall maintain DNA samples
7 39 and evidence that could be tested for DNA for a period
7 40 of three years beyond the limitations for the
7 41 commencement of criminal actions as set forth in
7 42 chapter 802. This section does not create a cause of
7 43 action for damages or a presumption of spoliation in
7 44 the event evidence is no longer available for testing.

7 45 11. If the court determines a defendant who files
7 46 a motion under this section is indigent, the defendant
7 47 shall be entitled to appointment of counsel as
7 48 provided in chapter 815.

7 49 12. If the court determines after DNA analysis
7 50 ordered pursuant to this section that the results
8 1 indicate conclusively that the DNA profile of the
8 2 defendant matches the profile from the analyzed
8 3 evidence used against the defendant, the court may
8 4 order the defendant to pay the costs of these
8 5 proceedings, including costs of all testing, court
8 6 costs, and costs of court-appointed counsel, if any.

8 7 Sec. 11. Section 229A.7, Code 2005, is amended by
8 8 adding the following new subsection:

8 9 NEW SUBSECTION. 5A. If the court or jury
8 10 determines that the respondent is a sexually violent
8 11 predator, the court shall order the respondent to
8 12 submit a DNA sample for DNA profiling pursuant to
8 13 section 81.4.

8 14 Sec. 12. Section 232.52, Code 2005, is amended by
8 15 adding the following new subsection:

8 16 NEW SUBSECTION. 10. The court shall order a
8 17 juvenile adjudicated a delinquent for an offense that
8 18 requires DNA profiling under section 81.2 to submit a
8 19 DNA sample for DNA profiling pursuant to section 81.4.

8 20 Sec. 13. Section 669.14, Code 2005, is amended by
8 21 adding the following new subsection:

8 22 NEW SUBSECTION. 15. Any claim arising from or
8 23 related to the collection of a DNA sample for DNA
8 24 profiling pursuant to section 81.4 or a DNA profiling
8 25 procedure performed by the division of criminal
8 26 investigation, department of public safety.

8 27 Sec. 14. Section 901.5, subsection 8A, Code 2005,
8 28 is amended to read as follows:

8 29 8A. a. The court shall order DNA profiling of a
8 30 defendant convicted of an offense that requires
8 31 profiling under section ~~13.10~~ 81.2.

8 32 b. Notwithstanding section ~~13.10~~ 81.2, the court
8 33 may order the defendant to provide a ~~physical specimen~~
8 34 DNA sample to be submitted for DNA profiling if
8 35 appropriate. In determining the appropriateness of
8 36 ordering DNA profiling, the court shall consider the
8 37 deterrent effect of DNA profiling, the likelihood of
8 38 repeated offenses by the defendant, and the
8 39 seriousness of the offense.

8 40 Sec. 15. Section 906.4, unnumbered paragraph 3,
8 41 Code 2005, is amended to read as follows:

8 42 ~~Notwithstanding section 13.10, the~~ The board may
8 43 order the defendant to provide a physical specimen to
8 44 be submitted for DNA profiling as a condition of
8 45 parole or work release, if ~~appropriate~~ a DNA profile
8 46 has not been previously conducted pursuant to chapter
8 47 81. In determining the appropriateness of ordering
8 48 DNA profiling, the board shall consider the deterrent

8 49 effect of DNA profiling, the likelihood of repeated
8 50 offenses by the defendant, and the seriousness of the
9 1 offense.
9 2 Sec. 16. 2002 Iowa Acts, chapter 1080, is
9 3 repealed.
9 4 Sec. 17. Section 13.10, Code 2005, is repealed.
9 5 Sec. 18. PERSONS REQUIRED TO SUBMIT A DNA SAMPLE
9 6 PRIOR TO EFFECTIVE DATE OF THIS DIVISION OF THIS ACT.
9 7 A person convicted, adjudicated a delinquent, civilly
9 8 committed as a sexually violent predator, or found not
9 9 guilty by reason of insanity, prior to the effective
9 10 date of this Act, who would otherwise be required to
9 11 submit a DNA sample under this Act, and who is under
9 12 the custody, control, or jurisdiction of a supervising
9 13 agency, shall submit a DNA sample prior to being
9 14 released from the supervising agency's custody,
9 15 control, or jurisdiction.
9 16 Sec. 19. EFFECTIVE DATE. This division of this
9 17 Act, being deemed of immediate importance, takes
9 18 effect upon enactment.

9 19 DIVISION II

9 20 SEX OFFENDER REGISTRY AND TREATMENT

9 21 Sec. 20. Section 692A.1, subsection 8, Code 2005,
9 22 is amended to read as follows:
9 23 8. "Residence" means the place where a person
9 24 sleeps, which may include more than one location, and
9 25 may be mobile or transitory, including a shelter or
9 26 group home.

9 27 Sec. 21. Section 692A.2, Code 2005, is amended by
9 28 adding the following new subsection:
9 29 NEW SUBSECTION. 1A. If a person is required to
9 30 register for a period of ten years under subsection 1
9 31 and the period under subsection 1 has expired, the
9 32 person shall be required to remain on the registry if
9 33 the person has been sentenced to a special sentence as
9 34 required under section 903B.0A or 903B.0B, for a
9 35 period equal to the term of the special sentence.

9 36 Sec. 22. NEW SECTION. 692A.2B RESTRICTIONS ON
9 37 RESIDENCY NEAR CHILD CARE FACILITIES OR SCHOOLS.

9 38 1. For purposes of this section, "person" means a
9 39 person who is required to register under this chapter.

9 40 2. A person shall not reside within one thousand
9 41 feet of the real property comprising a public or
9 42 nonpublic elementary or secondary school or a child
9 43 care facility.

9 44 3. A person who resides within one thousand feet
9 45 of the real property comprising a public or nonpublic
9 46 elementary or secondary school, or a child care
9 47 facility, commits an aggravated misdemeanor.

9 48 4. A person residing within one thousand feet of
9 49 the real property comprising a public or nonpublic
9 50 elementary or secondary school or a child care

10 1 facility does not commit a violation of this section
10 2 if any of the following apply:

10 3 a. The person is required to serve a sentence at a
10 4 jail, prison, juvenile facility, or other correctional
10 5 institution or facility.

10 6 b. The person is subject to an order of commitment
10 7 under chapter 229A.

10 8 c. The person has established a residence prior to
10 9 July 1, 2005, or a school or child care facility is
10 10 newly located on or after July 1, 2005.

10 11 d. The person is a minor or a ward under a
10 12 guardianship.

10 13 Sec. 23. Section 692A.4, Code 2005, is amended to
10 14 read as follows:

10 15 692A.4 VERIFICATION OF ADDRESS AND TAKING OF
10 16 PHOTOGRAPH.

10 17 1. The address of a person required to register
10 18 under this chapter shall be verified annually as
10 19 follows:

10 20 a. On a date which falls within the month in which
10 21 the person was initially required to register, the
10 22 department shall mail a verification form to the last
10 23 reported address of the person. Verification forms
10 24 shall not be forwarded to the person who is required
10 25 to register under this chapter if the person no longer
10 26 resides at the address, but shall be returned to the
10 27 department.

10 28 b. The person shall complete and mail the
10 29 verification to the department within ten days of

10 30 receipt of the form.
10 31 c. The verification form shall be signed by the
10 32 person, and state the address at which the person
10 33 resides. If the person is in the process of changing
10 34 residences, the person shall state that fact as well
10 35 as the old and new addresses or places of residence.

10 36 2. Verification of address for a person who has
10 37 been convicted of an offense under the laws of this
10 38 state or of another state which would qualify the
10 39 person as a sexually violent predator shall be
10 40 accomplished in the same manner as in subsection 1,
10 41 except that the verification shall be done every three
10 42 months at times established by the department.

10 43 3. A photograph of a person required to register
10 44 under this chapter shall be updated, at a minimum,
10 45 annually. When the department mails the address
10 46 verification notice in subsection 1, the department
10 47 shall also enclose a form informing the person to
10 48 annually submit to being photographed by the sheriff
10 49 of the county of the person's residence within ten
10 50 days of receipt of the address verification form. The
11 1 sheriff shall send the updated photograph to the
11 2 department within ten days of the photograph being
11 3 taken and the department shall post the updated
11 4 photograph on the sex offender registry's web page.
11 5 The sheriff may require the person to submit to being
11 6 photographed by the sheriff more than once a year by
11 7 mailing another notice informing the person to submit
11 8 to being photographed.

11 9 Sec. 24. NEW SECTION. 692A.4A ELECTRONIC
11 10 MONITORING.

11 11 A person required to register under this chapter
11 12 who is placed on probation, parole, work release,
11 13 special sentence, or any other type of conditional
11 14 release, may be supervised by an electronic tracking
11 15 and monitoring system in addition to any other
11 16 conditions of supervision.

11 17 Sec. 25. Section 692A.5, subsection 1, paragraph
11 18 h, Code 2005, is amended to read as follows:

11 19 h. Inform the person, if the person's residency is
11 20 restricted under section 692A.2A, that the person
11 21 shall not reside within two thousand feet of the real
11 22 property comprising a public or nonpublic elementary
11 23 or secondary school, or a child care facility. After
11 24 June 30, 2005, inform the person, if the person's
11 25 residency is restricted under section 692A.2B, that
11 26 the person shall not reside within one thousand feet
11 27 of the real property comprising a public or nonpublic
11 28 elementary or secondary school, or a child care
11 29 facility.

11 30 Sec. 26. Section 692A.5, subsection 1, Code 2005,
11 31 is amended by adding the following new paragraph:

11 32 NEW PARAGRAPH. i. Inform the person that the
11 33 person must, at a minimum, annually submit to being
11 34 photographed by the sheriff of the county of the
11 35 person's residence.

11 36 Sec. 27. Section 692A.13, subsection 3, Code 2005,
11 37 is amended to read as follows:

11 38 3. Any member of the public may contact a county
11 39 sheriff's office or police department to request
11 40 relevant information from the registry regarding a
11 41 specific person required to register under this
11 42 chapter. ~~The request for information shall be in~~
11 43 ~~writing, and A person making a request for relevant~~
11 44 ~~information may make the request by telephone, in~~
11 45 ~~writing, or in person, and the request shall include~~
11 46 the name of the person and at least one of the
11 47 following identifiers pertaining to the person about
11 48 whom the information is sought:

11 49 a. The date of birth of the person.
11 50 b. The social security number of the person.

12 1 c. The address of the person.

12 2 A county sheriff or police department shall not
12 3 charge a fee relating to a request for relevant
12 4 information.

12 5 Sec. 28. Section 692A.13, subsection 2, paragraph
12 6 b, Code 2005, is amended to read as follows:

12 7 b. The general public, including public and
12 8 private agencies, organizations, public places, ~~public~~
12 9 ~~and private schools,~~ child care facilities, religious
12 10 and youth organizations, neighbors, neighborhood

12 11 associations, community meetings, and employers.
12 12 Registry information may be distributed to the public
12 13 through printed materials, visual or audio press
12 14 releases, radio communications, or through a criminal
12 15 or juvenile justice agency's web page.

12 16 Sec. 29. Section 692A.13, Code 2005, is amended by
12 17 adding the following new subsection:

12 18 NEW SUBSECTION. 2A. When a person required to
12 19 register under this chapter moves into a school
12 20 district or moves within a school district, the county
12 21 sheriff of the county of the person's new residence
12 22 shall provide relevant information from the sex
12 23 offender registry to the administrative office of the
12 24 school district in which the person required to
12 25 register resides, and shall also provide relevant
12 26 information to any private school near the person's
12 27 residence.

12 28 Sec. 30. Section 692A.13, subsection 5, Code 2005,
12 29 is amended to read as follows:

12 30 5. Relevant information provided to the general
12 31 public may include the offender's name, address, a
12 32 photograph, locations frequented by the offender,
12 33 relevant criminal history information from the
12 34 registry, and any other relevant information.

12 35 Relevant information provided to the public shall not
12 36 include the identity of any victim. For purposes of
12 37 inclusion in the sex offender registry's web page or
12 38 dissemination to the general public, a conviction for
12 39 incest shall be disclosed as either a violation of
12 40 section 709.4 or 709.8.

12 41 Sec. 31. Section 903A.2, subsection 1, paragraph
12 42 a, Code 2005, is amended to read as follows:

12 43 a. Category "A" sentences are those sentences
12 44 which are not subject to a maximum accumulation of
12 45 earned time of fifteen percent of the total sentence
12 46 of confinement under section 902.12. To the extent
12 47 provided in subsection 5, category "A" sentences also
12 48 include life sentences imposed under section 902.1.
12 49 An inmate of an institution under the control of the
12 50 department of corrections who is serving a category
13 1 "A" sentence is eligible for a reduction of sentence
13 2 equal to one and two-tenths days for each day the
13 3 inmate demonstrates good conduct and satisfactorily
13 4 participates in any program or placement status
13 5 identified by the director to earn the reduction. The
13 6 programs include but are not limited to the following:
13 7 (1) Employment in the institution.
13 8 (2) Iowa state industries.
13 9 (3) An employment program established by the
13 10 director.
13 11 (4) A treatment program established by the
13 12 director.
13 13 (5) An inmate educational program approved by the
13 14 director.

13 15 However, an inmate required to participate in a sex
13 16 offender treatment program shall not be eligible for a
13 17 reduction of sentence unless the inmate participates
13 18 in and completes a sex offender treatment program
13 19 established by the director.

13 20 An inmate serving a category "A" sentence is
13 21 eligible for an additional reduction of sentence of up
13 22 to three hundred sixty-five days of the full term of
13 23 the sentence of the inmate for exemplary acts. In
13 24 accordance with section 903A.4, the director shall by
13 25 policy identify what constitutes an exemplary act that
13 26 may warrant an additional reduction of sentence.

13 27 DIVISION III
13 28 ENHANCED CRIMINAL PENALTIES AND
13 29 STATUTE OF LIMITATIONS

13 30 Sec. 32. Section 709.8, Code 2005, is amended to
13 31 read as follows:

13 32 709.8 LASCIVIOUS ACTS WITH A CHILD.
13 33 It is unlawful for any person ~~eighteen~~ sixteen
13 34 years of age or older to perform any of the following
13 35 acts with a child with or without the child's consent
13 36 unless married to each other, for the purpose of
13 37 arousing or satisfying the sexual desires of either of
13 38 them:
13 39 1. Fondle or touch the pubes or genitals of a
13 40 child.
13 41 2. Permit or cause a child to fondle or touch the

13 42 person's genitals or pubes.
13 43 3. Solicit a child to engage in a sex act or
13 44 solicit a person to arrange a sex act with a child.
13 45 4. Inflict pain or discomfort upon a child or
13 46 permit a child to inflict pain or discomfort on the
13 47 person.
13 48 Any person who violates a provision of this section
13 49 involving an act included in subsection 1 or 2 shall,
13 50 upon conviction, be guilty of a class "D" "C" felony.
~~14 1 A person who violates a provision of this section and~~
~~14 2 who is sentenced to a term of confinement shall also~~
~~14 3 be sentenced to an additional term of parole or work~~
~~14 4 release not to exceed two years. The board of parole~~
~~14 5 shall determine whether the person should be released~~
~~14 6 on parole or placed in a work release program. The~~
~~14 7 sentence of an additional term of parole or work~~
~~14 8 release supervision shall commence immediately upon~~
~~14 9 the expiration of the preceding sentence and shall be~~
~~14 10 under the terms and conditions as set out in chapter~~
~~14 11 906. Violations of parole or work release shall be~~
~~14 12 subject to the procedures set out in chapter 905 or~~
~~14 13 908 or rules adopted under those chapters. The~~
~~14 14 sentence of an additional term of parole or work~~
~~14 15 release shall be consecutive to the original term of~~
~~14 16 confinement. Any person who violates a provision of~~
~~14 17 this section involving an act included in subsection 3~~
~~14 18 or 4 shall, upon conviction, be guilty of a class "D"~~
~~14 19 felony.~~

14 20 Sec. 33. Section 802.2, Code 2005, is amended to
14 21 read as follows:

14 22 802.2 SEXUAL ABUSE == FIRST, SECOND, OR THIRD
14 23 DEGREE.

14 24 1. An information or indictment for sexual abuse
14 25 in the first, second, or third degree committed on or
14 26 with a person who is under the age of eighteen years
14 27 shall be found within ten years after the person upon
14 28 whom the offense is committed attains eighteen years
14 29 of age, or if the identity of the person against whom
14 30 the information or indictment is sought is established
14 31 through the use of a DNA profile, an information or
14 32 indictment shall be found within three years from the
14 33 date the identity of the person is identified by the
14 34 person's DNA profile, whichever is later.

14 35 2. An information or indictment for any other
14 36 sexual abuse in the first, second, or third degree
14 37 shall be found within ten years after its commission,
14 38 or if the identity of the person against whom the
14 39 information or indictment is sought is established
14 40 through the use of a DNA profile, an information or
14 41 indictment shall be found within three years from the
14 42 date the identity of the person is identified by the
14 43 person's DNA profile, whichever is later.

14 44 3. As used in this section, "identified" means a
14 45 person's legal name is known and the person has been
14 46 determined to be the source of the DNA.

14 47 Sec. 34. Section 901.5, Code 2005, is amended by
14 48 adding the following new subsection:

14 49 NEW SUBSECTION. 13. In addition to any other
14 50 sentence or other penalty imposed against the
15 1 defendant, the court shall impose a special sentence
15 2 if required under section 903B.0A or 903B.0B.

15 3 Sec. 35. NEW SECTION. 902.15 ENHANCED PENALTY ==
15 4 SEXUAL ABUSE OR LASCIVIOUS ACTS WITH A CHILD.

15 5 1. A person commits a class "A" felony if the
15 6 person commits a second or subsequent offense
15 7 involving any combination of the following offenses:
15 8 a. Sexual abuse in the second degree in violation
15 9 of section 709.3.
15 10 b. Sexual abuse in the third degree in violation
15 11 of section 709.4.

15 12 c. Lascivious acts with a child in violation of
15 13 section 709.8, subsection 1 or 2.

15 14 2. In determining if a violation charged is a
15 15 second or subsequent offense for purposes of criminal
15 16 sentencing in this section, each previous violation on
15 17 which conviction or deferral of judgment was entered
15 18 prior to the date of the violation charged shall be
15 19 considered and counted as a separate previous offense,
15 20 regardless of whether the previous offense occurred
15 21 before, on, or after the effective date of this Act.
15 22 Convictions or the equivalent of deferred judgments

15 23 for violations in any other states under statutes
15 24 substantially corresponding to the offenses listed in
15 25 subsection 1 shall be counted as previous offenses.
15 26 The courts shall judicially notice the statutes of
15 27 other states which define offenses substantially
15 28 equivalent to the offenses listed in subsection 1 and
15 29 can therefore be considered corresponding statutes.
15 30 Sec. 36. NEW SECTION. 903B.0A SPECIAL SENTENCE
15 31 == CLASS "B" OR CLASS "C" FELONIES.
15 32 A person convicted of a class "C" felony or greater
15 33 offense under chapter 709, or a class "C" felony under
15 34 section 728.12, shall also be sentenced, in addition
15 35 to any other punishment provided by law, to a special
15 36 sentence committing the person into the custody of the
15 37 director of the Iowa department of corrections for the
15 38 rest of the person's life, with eligibility for parole
15 39 as provided in chapter 906. The special sentence
15 40 imposed under this section shall commence upon
15 41 completion of the sentence imposed under any
15 42 applicable criminal sentencing provisions for the
15 43 underlying criminal offense and the person shall begin
15 44 the sentence under supervision as if on parole. The
15 45 person shall be placed on the corrections continuum in
15 46 chapter 901B, and the terms and conditions of the
15 47 special sentence, including violations, shall be
15 48 subject to the same set of procedures set out in
15 49 chapters 901B, 905, 906, and chapter 908, and rules
15 50 adopted under those chapters for persons on parole
16 1 shall not be for a period greater than two years upon
16 2 any first revocation, and five years upon any second
16 3 or subsequent revocation. A special sentence shall be
16 4 considered a category "A" sentence for purposes of
16 5 calculating earned time under section 903A.2.
16 6 Sec. 37. NEW SECTION. 903B.0B SPECIAL SENTENCE
16 7 == CLASS "D" FELONIES OR MISDEMEANORS.
16 8 A person convicted of a misdemeanor or a class "D"
16 9 felony offense under chapter 709, section 726.2, or
16 10 section 728.12 shall also be sentenced, in addition to
16 11 any other punishment provided by law, to a special
16 12 sentence committing the person into the custody of the
16 13 director of the Iowa department of corrections for a
16 14 period of ten years, with eligibility for parole as
16 15 provided in chapter 906. The special sentence imposed
16 16 under this section shall commence upon completion of
16 17 the sentence imposed under any applicable criminal
16 18 sentencing provisions for the underlying criminal
16 19 offense and the person shall begin the sentence under
16 20 supervision as if on parole. The person shall be
16 21 placed on the corrections continuum in chapter 901B,
16 22 and the terms and conditions of the special sentence,
16 23 including violations, shall be subject to the same set
16 24 of procedures set out in chapters 901B, 905, 906, and
16 25 908, and rules adopted under those chapters for
16 26 persons on parole. The revocation of release shall
16 27 not be for a period greater than two years upon any
16 28 first revocation, and five years upon any second or
16 29 subsequent revocation. A special sentence shall be
16 30 considered a category "A" sentence for purposes of
16 31 calculating earned time under section 903A.2.
16 32 Sec. 38. Section 903B.1, subsection 3, Code 2005,
16 33 is amended by striking the subsection.
16 34 Sec. 39. Section 906.15, unnumbered paragraph 1,
16 35 Code 2005, is amended to read as follows:
16 36 Unless sooner discharged, a person released on
16 37 parole shall be discharged when the person's term of
16 38 parole equals the period of imprisonment specified in
16 39 the person's sentence, less all time served in
16 40 confinement. Discharge from parole may be granted
16 41 prior to such time, when an early discharge is
16 42 appropriate. The board shall periodically review all
16 43 paroles, and when the board determines that any person
16 44 on parole is able and willing to fulfill the
16 45 obligations of a law-abiding citizen without further
16 46 supervision, the board shall discharge the person from
16 47 parole. A parole officer shall periodically review
16 48 all paroles assigned to the parole officer, and when
16 49 the parole officer determines that any person assigned
16 50 to the officer is able and willing to fulfill the
17 1 obligations of a law-abiding citizen without further
17 2 supervision, the officer may discharge the person from
17 3 parole after notification and approval of the district

17 4 director and notification of the board of parole. In
17 5 any event, discharge from parole shall terminate the
17 6 person's sentence. If a person has been sentenced to
17 7 a special sentence under section 903B.0A or 903B.0B,
17 8 the person may be discharged early from the sentence
17 9 in the same manner as any other person on parole.

17 10 However, a person convicted of a violation of section
17 11 709.3, 709.4, or 709.8 committed on or with a child,
17 12 or a person serving a sentence under section 902.12,
17 13 shall not be discharged from parole until the person's
17 14 term of parole equals the period of imprisonment
17 15 specified in the person's sentence, less all time
17 16 served in confinement.

17 17 Sec. 40. Section 908.5, Code 2005, is amended to
17 18 read as follows:

17 19 908.5 DISPOSITION.

17 20 1. If a violation of parole is established, the
17 21 administrative parole judge may continue the parole
17 22 with or without any modification of the conditions of
17 23 parole. The administrative parole judge may revoke
17 24 the parole and require the parolee to serve the
17 25 sentence originally imposed, or may revoke the parole
17 26 and reinstate the parolee's work release status.

17 27 2. If the person is serving a special sentence
17 28 under chapter 903B, the administrative parole judge
17 29 may revoke the release. Upon the revocation of
17 30 release, the person shall not serve the entire length
17 31 of the special sentence imposed, and the revocation
17 32 shall be for a period not to exceed two years in a
17 33 correctional institution upon a first revocation and
17 34 for a period not to exceed five years in a
17 35 correctional institution upon a second or subsequent
17 36 revocation.

17 37 3. The order of the administrative parole judge
17 38 shall contain findings of fact, conclusions of law,
17 39 and a disposition of the matter.

17 40 DIVISION IV
17 41 VICTIM RIGHTS

17 42 Sec. 41. NEW SECTION. 235D.1 CRIMINAL HISTORY
17 43 CHECK == APPLICANTS AT DOMESTIC ABUSE OR SEXUAL
17 44 ASSAULT CENTERS.

17 45 An applicant for employment at a domestic abuse or
17 46 sexual assault center shall be subject to a national
17 47 criminal history check through the federal bureau of
17 48 investigation. The domestic abuse or sexual assault
17 49 center shall request the criminal history check and
17 50 shall provide the applicant's fingerprints to the
18 1 department of public safety for submission through the
18 2 state criminal history repository to the federal
18 3 bureau of investigation. The applicant shall
18 4 authorize release of the results of the criminal
18 5 history check to the domestic abuse or sexual assault
18 6 center. The applicant shall pay the actual cost of
18 7 the fingerprinting and criminal history check, if any.
18 8 Unless the criminal history check was completed within
18 9 the ninety calendar days prior to the date the
18 10 application is received by the domestic abuse or
18 11 sexual assault center, the center shall reject and
18 12 return the application to the applicant. The results
18 13 of a criminal history check conducted pursuant to this
18 14 subsection shall not be considered a public record
18 15 under chapter 22. For purposes of this section,
18 16 "domestic abuse or sexual assault center" means a
18 17 facility which is used to house victims of domestic
18 18 abuse or sexual assault, and is owned, operated, or
18 19 maintained by a nonprofit organization.

18 20 Sec. 42. NEW SECTION. 709.22 PREVENTION OF
18 21 FURTHER SEXUAL ASSAULT == NOTIFICATION OF RIGHTS.

18 22 If a peace officer has reason to believe that a
18 23 sexual assault as defined in section 915.40 has
18 24 occurred, the officer shall use all reasonable means
18 25 to prevent further violence including but not limited
18 26 to the following:

18 27 1. If requested, remaining on the scene of the
18 28 alleged sexual assault as long as there is a danger to
18 29 the victim's physical safety without the presence of a
18 30 peace officer, including but not limited to staying in
18 31 the dwelling unit, or if unable to remain on the
18 32 scene, assisting the victim in leaving the residence.

18 33 2. Assisting a victim in obtaining medical
18 34 treatment necessitated by the sexual assault,

18 35 including providing assistance to the victim in
18 36 obtaining transportation to the emergency room of the
18 37 nearest hospital.

18 38 3. Providing a victim with immediate and adequate
18 39 notice of the victim's rights. The notice shall
18 40 consist of handing the victim a copy of the following
18 41 statement written in English and Spanish, asking the
18 42 victim to read the statement, and asking whether the
18 43 victim understands the rights:

18 44 "You have the right to ask the court for help with
18 45 any of the following on a temporary basis:

18 46 a. Keeping your attacker away from you, your home,
18 47 and your place of work.

18 48 b. The right to stay at your home without
18 49 interference from your attacker.

18 50 c. The right to seek a no-contact order under
19 1 section 709.20 or 915.22, if your attacker is arrested
19 2 for sexual assault.

19 3 You have the right to register as a victim with the
19 4 county attorney under section 915.12.

19 5 You have the right to file a complaint for threats,
19 6 assaults, or other related crimes.

19 7 You have the right to seek restitution against your
19 8 attacker for harm to you or your property.

19 9 You have the right to apply for victim
19 10 compensation.

19 11 You have the right to contact the county attorney
19 12 or local law enforcement to determine the status of
19 13 your case.

19 14 If you are in need of medical treatment, you have
19 15 the right to request that the officer present assist
19 16 you in obtaining transportation to the nearest
19 17 hospital or otherwise assist you.

19 18 You have the right to a sexual assault examination
19 19 performed at state expense.

19 20 If you believe that police protection is needed for
19 21 your physical safety, you have the right to request
19 22 that the officer present remain at the scene until you
19 23 and other affected parties can leave or until safety
19 24 is otherwise ensured."

19 25 The notice shall also contain the telephone numbers
19 26 of shelters, support groups, and crisis lines
19 27 operating in the area.

19 28 Sec. 43. Section 915.10, subsections 1 and 2, Code
19 29 2005, are amended to read as follows:

19 30 1. "Notification" means mailing by regular mail or
19 31 providing for hand delivery of appropriate information
19 32 or papers. However, this notification procedure does
19 33 not prohibit an office, agency, or department from
19 34 also providing appropriate information to a registered
19 35 victim by telephone, electronic mail, or other means.

19 36 2. "Registered" means having provided the county
19 37 attorney with the victim's written request for
19 38 registration and current mailing address and telephone
19 39 number. If an automated victim notification system is
19 40 implemented pursuant to section 915.10A, "registered"
19 41 also means having filed a request for registration
19 42 with the system.

19 43 Sec. 44. NEW SECTION. 915.10A AUTOMATED VICTIM
19 44 NOTIFICATION SYSTEM.

19 45 1. An automated victim notification system may be
19 46 utilized to assist public officials in informing crime
19 47 victims, the victim's family, or other interested
19 48 persons as provided in this subchapter and where
19 49 otherwise specifically provided. The system shall
19 50 disseminate the information to registered users
20 1 through telephonic, electronic, or other means of
20 2 access.

20 3 2. An office, agency, or department may satisfy a
20 4 notification obligation to registered victims required
20 5 by this subchapter through participation in the system
20 6 to the extent information is available for
20 7 dissemination through the system. Nothing in this
20 8 section shall relieve a notification obligation under
20 9 this subchapter due to the unavailability of
20 10 information for dissemination through the system.

20 11 3. Notwithstanding section 232.147, information
20 12 concerning juveniles charged with a felony offense
20 13 shall be released to the extent necessary to comply
20 14 with this section.

20 15 Sec. 45. Section 915.11, Code 2005, is amended to

20 16 read as follows:

20 17 915.11 INITIAL NOTIFICATION BY LAW ENFORCEMENT.

20 18 A local police department or county sheriff's
20 19 department shall advise a victim of the right to
20 20 register with the county attorney, and shall provide a
20 21 request-for-registration form to each victim. If an
~~20 22 automated victim notification system is available~~
~~20 23 pursuant to section 915.10A, a local police department~~
~~20 24 or county sheriff's department shall provide a~~
~~20 25 telephone number and website to each victim to~~
~~20 26 register with the system.~~

20 27 Sec. 46. Section 915.12, Code 2005, is amended to
20 28 read as follows:

20 29 915.12 REGISTRATION.

~~20 30 1. The county attorney shall be the sole registrar~~
~~20 31 of victims under this subchapter.~~

20 32 ~~2.~~ 1. A victim may register by filing a written
20 33 request-for-registration form with the county
20 34 attorney. The county attorney shall notify the
20 35 victims in writing and advise them of their
20 36 registration and rights under this subchapter.

20 37 ~~3.~~ The county attorney shall provide a registered
20 38 victim list to the offices, agencies, and departments
20 39 required to provide information under this subchapter
20 40 for notification purposes.

20 41 2. If an automated victim notification system, the
~~20 42 victim's family, is available pursuant to section~~
~~20 43 915.10A, a victim, the victim's family, or other~~
~~20 44 interested person may register with the system by~~
~~20 45 filing a request for registration through written,~~
~~20 46 telephonic, or electronic means.~~

20 47 ~~4.~~ 3. Notwithstanding chapter 22 or any other
20 48 contrary provision of law, ~~a victim's the registration~~
20 49 ~~of a victim, victim's family, or other interested~~
~~20 50 person~~ shall be strictly maintained in a separate
21 1 confidential file or other confidential medium, and
21 2 shall be available only to the offices, agencies, and
21 3 departments required to provide information under this
21 4 subchapter.

21 5 Sec. 47. Section 915.29, Code 2005, is amended by
21 6 adding the following new unnumbered paragraph:

21 7 NEW UNNUMBERED PARAGRAPH. The notification
21 8 required pursuant to this section may occur through
21 9 the automated victim notification system referred to
21 10 in section 915.10A to the extent such information is
21 11 available for dissemination through the system.

21 12 Sec. 48. Section 915.45, Code 2005, is amended by
21 13 adding the following new unnumbered paragraph:

21 14 NEW UNNUMBERED PARAGRAPH. The notification
21 15 required pursuant to this section may occur through
21 16 the automated victim notification system referred to
21 17 in section 915.10A to the extent such information is
21 18 available for dissemination through the system.

21 19 DIVISION V
21 20 TASK FORCE

21 21 Sec. 49. SEX OFFENDER TREATMENT AND SUPERVISION
21 22 TASK FORCE.

21 23 1. The division of criminal and juvenile justice
21 24 planning shall establish a task force to study and
21 25 make periodic recommendations for treating and
21 26 supervising sex offenders in correctional institutions
21 27 and in the community. The task force shall file a
21 28 report with recommendations with the general assembly
21 29 by January 15, 2006. The task force shall study the
21 30 effectiveness of electronic monitoring and the
21 31 potential effects and costs associated with the
21 32 special sentence created in this Act. The task force
21 33 shall study risk assessment models created for sex
21 34 offenders. The task force shall also review this
21 35 state's efforts and the efforts of other states to
21 36 implement treatment programs and make recommendations
21 37 as to the best treatment options available for sex
21 38 offenders. The task force shall also develop a plan
21 39 to integrate state government databases for the
21 40 purpose of updating addresses of persons on the sex
21 41 offender registry.

21 42 2. Members of the task force shall include
21 43 representatives of the following state agencies and
21 44 organizations:

21 45 a. One representative of the department of human
21 46 services.

- 21 47 b. One representative of the department of public
21 48 safety.
21 49 c. One representative of the Iowa state sheriffs
21 50 and deputies association.
22 1 d. One representative of the Iowa county attorneys
22 2 association.
22 3 e. One representative of the department of
22 4 corrections.
22 5 f. One representative of the board of parole.
22 6 g. One representative of a judicial district
22 7 department of correctional services.
22 8 h. One representative of the department of
22 9 justice.
22 10 i. One representative of the state public
22 11 defender.
22 12 j. One representative of the Iowa coalition
22 13 against sexual assault.

22 14 DIVISION VI
22 15 STATE MANDATE

22 16 Sec. 50. IMPLEMENTATION OF ACT. Section 25B.2,
22 17 subsection 3, shall not apply to this Act.>
22 18 #2. Title page, by striking lines 1 through 5 and
22 19 inserting the following: <An Act relating to criminal
22 20 sentencing, victim notification, and the sex offender
22 21 registry, including establishing a special sentence
22 22 for certain offenders, requiring DNA testing of
22 23 certain offenders, requiring sex offender treatment in
22 24 order to accumulate earned time, establishing a sex
22 25 offender treatment and supervision task force,
22 26 providing penalties, and providing an effective
22 27 date.>>
22 28
22 29
22 30

22 31 KEITH A. KREIMAN
22 32 HF 619.312 81
22 33 jm/cf/2948